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# HOUSE BILL No. 1134

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 13-11-2; IC 13-20-8-10.

**Synopsis:** Medical waste incineration near schools. Prohibits the incineration of infectious waste and medical waste within seven miles of a nonpublic or public school building.

**Effective:** July 1, 2009.

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January 12, 2009, read first time and referred to Committee on Public Health.

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First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

## HOUSE BILL No. 1134

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 13-11-2-109.3 IS ADDED TO THE INDIANA  
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2009]: **Sec. 109.3. "Infectious waste", for**  
4 **purposes of IC 13-20-8, has the meaning set forth in IC 16-41-16-4.**  
5 SECTION 2. IC 13-11-2-128.2 IS ADDED TO THE INDIANA  
6 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
7 [EFFECTIVE JULY 1, 2009]: **Sec. 128.2. "Medical waste", for**  
8 **purposes of IC 13-20-8, means solid waste generated in the:**  
9 (1) **diagnosis, treatment, or immunization of human beings or**  
10 **animals; or**  
11 (2) **production or testing of drugs and vaccines.**  
12 SECTION 3. IC 13-11-2-142.6, AS AMENDED BY P.L.1-2005,  
13 SECTION 141, IS AMENDED TO READ AS FOLLOWS  
14 [EFFECTIVE JULY 1, 2009]: **Sec. 142.6. "Nonpublic school", for**  
15 **purposes of IC 13-20-8 and IC 13-20-17.5, has the meaning set forth**  
16 **in IC 20-18-2-12.**  
17 SECTION 4. IC 13-11-2-176.5, AS AMENDED BY P.L.1-2005,



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SECTION 142, IS AMENDED TO READ AS FOLLOWS  
 [EFFECTIVE JULY 1, 2009]: Sec. 176.5. "Public school", for purposes  
 of **IC 13-20-8 and IC 13-20-17.5**, has the meaning set forth in  
 IC 20-18-2-15.

SECTION 5. IC 13-20-8-10 IS ADDED TO THE INDIANA CODE  
 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 1, 2009]: **Sec. 10. (a) This section does not apply to medical waste  
 generated by a household.**

**(b) Infectious waste and medical waste may not be incinerated  
 within seven (7) miles of a:**

**(1) nonpublic school building; or**

**(2) public school building.**

**(c) The measurement that this section requires must be made  
 from the point on a school building that is nearest to the property  
 line of the real property that contains an incinerator.**

**(d) The commissioner shall deny an application for:**

**(1) a new permit; or**

**(2) the renewal of an existing permit;**

**for the construction, expansion, or operation of an incinerator if  
 the commissioner finds that the incinerator would not comply with  
 this section.**

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